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*Attorneys for Reflex Media, Inc.*

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

REFLEX MEDIA, INC., a Nevada corporation,

Case No. 4:18-cv-5018-DMR

## Plaintiffs,

## **NOTICE OF INTENT TO FILE AMENDED COMPLAINT**

VS.

DOE NO. 1 d/b/a  
www.PredatorsAlerts.com, *et al.*,

Hon. Donna M. Ryu

### Defendants.

Plaintiff Reflex Media, Inc. (“Reflex Media”), hereby gives notice of its intent to file an amended Complaint in accordance with Rule 15 of the Federal Rules of Civil Procedure (“Fed. R. Civ. P.”).

On September 25, 2018, Marca Global filed its Motion to Dismiss Plaintiff's Complaint. The Court issued a briefing schedule regarding the motion and required responses to the motion to be filed no later than October 9, 2018. (Dkt. 19.) The following day the Court required Marca Global to re-notice the hearing to comply with local but kept the briefing schedule issued on September 25th. (Dkt. 23.) Fed. R. Civ. P. 15 permits parties to amend their pleadings 21 days after service of a motion under 12(b). Fed. R. Civ. P. 15(a)(1)(B). Consequently, Reflex Media is required to amend its complaint no later than October 16, 2018, a week after the current motion briefing schedule.

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Therefore, given the inconsistency between these deadlines, and in an effort to avoid any confusion about whether and how Reflex Media intends to respond to Marca Global’s Motion to Dismiss, Reflex Media hereby gives notice of its intent to file an amended complaint in lieu of responding to the motion. As required by Fed. R. Civ. P. 15, Reflex Media will file its amended complaint on or before the October 16, 2018, deadline.

DATED: October 9, 2018

## SMITH WASHBURN, LLP

By: /s/ Jacob L. Fonnesbeck  
Jacob L. Fonnesbeck  
*Attorneys for Plaintiff Reflex Media, Inc.*

1                   **CERTIFICATE OF SERVICE**

2                   I hereby certify that on October 9, 2018, I caused a true and correct copy of the  
3 forgoing **NOTICE OF INTENT TO FILE AMENDED COMPLAINT** to be served  
4 upon the parties below via the Court's CM/ECF system:

5                   Jacob Song  
6                   KUTAK ROCK LLP  
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10                  Chad T. Nitta, *Pro Hac Vice*  
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18                  /s/ Melina Hernandez  
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